

State of South Dakota

EIGHTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2010

400R0373

HOUSE APPROPRIATIONS ENGROSSED NO. **HB 1027** - 1/28/2010

Introduced by: The Committee on Appropriations at the request of the Board of Regents

1 FOR AN ACT ENTITLED, An Act to authorize the Board of Regents to construct a visitor
2 center on the grounds of McCrory Gardens on the campus of South Dakota State University,
3 to accept donations for such purpose, to make an appropriation therefor, and to declare an
4 emergency.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

6 Section 1. The Board of Regents may contract for the construction, completion, furnishing,
7 equipping, and maintaining of, including heating, air conditioning, plumbing, water, sewer,
8 electric facilities, sidewalks, parking, landscaping, architectural and engineering services, and
9 such other services or actions as may be required to construct a visitor center, not to exceed ten
10 thousand gross square feet, on the grounds of McCrory Gardens on the campus of South Dakota
11 State University, in Brookings, South Dakota.

12 Section 2. There is hereby appropriated from other fund expenditure authority the sum of
13 four million dollars (\$4,000,000), or so much thereof as may be necessary, to the Board of
14 Regents, payable from funds donated for the purposes of this Act, for the total project cost
15 authorized by this Act.



1 Section 3. Expenditure authority may be increased based on the receipt of grants or
2 donations received pursuant to this Act. However, no adjustment to any cost estimate may
3 exceed one hundred twenty-five percent of the authorized expenditure authority stated in section
4 2 of this Act. No increase in gross square footage authorized by section 1 of this Act may exceed
5 ten percent. Any increase in gross square footage may only be made to accommodate design
6 changes needed to comply with building code requirements and to address unforeseeable
7 structural, subsoil, or environmental conditions.

8 Section 4. The design and construction of the facility authorized in this Act shall be under
9 the general supervision of the Bureau of Administration as provided in chapter 5-14. The
10 commissioner of the Bureau of Administration and the executive director of the Board of
11 Regents shall approve vouchers and the state auditor shall draw warrants to pay expenditures
12 authorized by this Act. No contract for construction may be issued until the donated funds
13 referred to in section 2 of this Act have been accumulated sufficient to pay for the construction,
14 completion, furnishing, equipping, including heating, air conditioning, plumbing, water, sewer,
15 electric facilities, sidewalks, parking, landscaping, and architectural and engineering services,
16 required to construct the facility.

17 Section 5. For the purposes of this Act, the term, gross square footage, means the sum of all
18 areas on all floors of a building included within the outside faces of the building's exterior walls,
19 including floor penetration areas, however insignificant, for circulation and shaft areas that
20 connect one floor to another as computed by physically measuring or scaling measurements
21 from the outside faces of exterior walls, disregarding cornices, pilaster, buttresses, etc., which
22 extend beyond the wall faces. The term includes excavated basement area; mezzanines,
23 penthouses, and attics; garages; multiple floor parking structures; enclosed porches, inner or
24 outer balconies whether walled or not, if the balconies are utilized for operational functions; and

1 corridors whether walled or not, if the corridors are within the outside face lines of the building,
2 to the extent of the roof drip line and the footprints of stairways, elevator shafts, and ducts on
3 each floor through which the corridors pass. The term does not include open areas such as
4 unenclosed parking lots, playing fields, courts, and light wells, clear span areas not exceeding
5 three feet in height, or portions of upper floors eliminated by rooms or lobbies that rise above
6 single-floor height.

7 Section 6. Whereas, this Act is necessary for the support of the state government and its
8 existing public institutions, an emergency is hereby declared to exist, and this Act shall be in
9 full force and effect from and after its passage and approval.